

NINTH DAY

(Wednesday, January 29, 1969)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Schwartz
Connally	Snelson
Grover	Strong
Harrington	Watson
Harris	Wilson
Hazlewood	Word

Absent—Excused

Creighton	Ratliff
Hall	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leaves of Absence

Senator Hall was granted leave of absence for today on account of important business on motion of Senator Word.

Senator Creighton was granted leave of absence for today on account of important business on motion of Senator Bates.

Senator Ratliff was granted leave of absence for today on account of important business on motion of Senator Bates.

Message From the Governor

The following message received from the Governor today was read and was filed with the Secretary of the Senate:

January 29, 1969

To the members of the 61st Legislature, Regular Session:

Pursuant to the provisions of Sec-

tion 5 of Article III of the Constitution of the State of Texas, I hereby submit as an emergency matter the following:

1. A bill amending the State employees retirement act calling for increased minimum retirement benefits, increased service retirement benefits, increased death benefits as approved by the Board of Trustees of the Employee Retirement System and within the actuarially sound limits in the current funds of said system.

This recommendation requires no new appropriation and the current retirement fund is adequate to sustain certain increased benefits.

Respectfully submitted,
PRESTON SMITH,
Governor of Texas

Senate Bills on First Reading

The following bills and resolutions were introduced, read first time and referred to the Committees indicated:

By Senators Schwartz, Mauzy, Cole, Bernal, Kennard, McKool and Christie:

S. B. No. 2, A bill to be entitled "An Act pertaining to the organization, administration and financing of public school education in the State of Texas; providing for a system of state supported educational programs and the requirements necessary for participation therein; providing for the manner in which the public school program shall be financed; providing for the reorganization of local school districts; providing for the abolition of the offices of county school superintendent and county school boards; providing for the school fund and allocations thereto; imposing a documentary stamp tax as an aid to financing public school education; providing for a revision in the scholastic census; establishing guidelines for professional consultation between teachers and school boards; revising the provisions pertaining to continuing teacher contracts; revising the provisions pertaining to certification of teachers; revising the provisions pertaining to the public school textbook and educational materials program; creating the State Board for Vocational-Technical Education; conforming State Board of Education member districts to congressional district boundaries; providing for regional branch offices for the Texas

Education Agency; repealing all laws in conflict; providing for severability; and declaring an emergency."

To the Committee on Education.

By Senator Berry:

S. B. No. 3, A bill to be entitled "An Act relating to retirement benefits for State peace officers; amending Subsection A, Section 5, Chapter 352, Acts of the 50th Legislature, 1947, as amended (Article 6228a, Vernon's Texas Civil Statutes); and declaring an emergency."

To the Committee on State Affairs.

By Senator Berry:

S. B. No. 4, A bill to be entitled "An Act to create the 190th Judicial District and the 191st Judicial District and the 190th District Court of Bexar County and the 191st District Court of Bexar County; providing for the courts' jurisdiction, terms, personnel, administration, practice; amending Subsections (B), (E), (G), (H), (K), (M), (N), (O), and (Q), Section 4, Chapter 507, Acts of the 58th Legislature, 1963; and declaring an emergency."

To the Committee on Legislative, Congressional and Judicial Districts.

By Senators Cole, Brooks, Schwartz and Herring:

S. B. No. 5, A bill to be entitled "An Act amending the Penal Code of Texas, 1925, by adding a new Article 698d defining the offense of air pollution and providing for the criminal prosecution of persons and other entities who pollute the air in the State of Texas; declaring the effect of this Act on certain other laws pertaining to air pollution; providing for severability; and declaring an emergency."

To the Committee on Jurisprudence.

By Senators Cole, Brooks, Schwartz and Herring:

S. B. No. 6, A bill to be entitled "An Act amending the Penal Code of Texas, 1925, by adding a new Article 698c defining the offense of water pollution and providing for the criminal prosecution of persons and other entities who pollute the water in the State of Texas; repealing Article 1362, Penal Code of Texas, 1925; declaring the effect of this Act on certain other laws pertaining to pollution; providing for severability; and declaring an emergency."

To the Committee on Jurisprudence.

By Senators Cole and Herring:

S. B. No. 7, A bill to be entitled "An Act relating to the use of an exhaust emission system or device on certain motor vehicles; prohibiting crankcase emissions from certain motor vehicles; adding Section 2A to, amending Section 134 by adding Subsections (c) and (d), amending Subsections (a) and (b) of Section 140, Subsections (a), (b), (d), and (e) of Section 141, and Subsection (a) of Section 142 of Chapter 421, Acts of the 50th Legislature, 1947, as amended (Article 6701d, Vernon's Texas Civil Statutes); and declaring an emergency."

To the Committee on State Affairs.

By Senator Hightower:

S. B. No. 8, A bill to be entitled "An Act providing for the implementation of a program of student teaching, providing for administration of programs, financing of program, an effective date, a severability clause; and declaring an emergency."

To the Committee on Education.

By Senator Hightower:

S. B. No. 9, A bill to be entitled "An Act amending and revising the following provisions of the Texas Probate Code: Paragraphs (e), (f), and (g), Section 3; Subsection (c), Section 41; Section 46, as amended; Sections 52; 59, as amended; 60; 78, as amended; Subsection (b), Section 88; Sections 97; 98; 99; 101; 104; 105; 107; 181, as amended; 184; 220; 222; 223; 227; and 248, as amended; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Hightower:

S. B. No. 10, A bill to be entitled "An Act authorizing the Commission on Law Enforcement Officer Standards and Education to certify certain persons as trained and qualified law enforcement officers; amending Section 6, Chapter 546, Acts of the 59th Legislature, Regular Session, 1965 (Article 4413(29aa), Vernon's Texas Civil Statutes); and declaring an emergency."

To the Committee on State Affairs.

By Senator Hightower:

S. B. No. 11, A bill to be entitled "An Act relating to the use of tires with protuberances on public highways; amending Subsection (c), Sec-

tion 135, Chapter 421, Acts of the 50th Legislature, Regular Session, 1947 (Article 6701d, Vernon's Texas Civil Statutes); and declaring an emergency."

To the Committee on State Affairs.

By Senator Hightower:

S. B. No. 12, A bill to be entitled "An Act relating to suspension by the Department of Public Safety of the motor vehicle license and registrations of a Texas resident who fails to comply with the safety responsibility law of another State; amending Subsection (c), Section 8, Chapter 498, Acts of the 52nd Legislature, 1951, as amended (Article 6701h, Vernon's Texas Civil Statutes); and declaring an emergency."

To the Committee on State Affairs.

By Senator Hightower:

S. B. No. 13, A bill to be entitled "An Act relating to the making, drawing, uttering, or delivering of a check, draft, or order for payment of wages or salaries for personal services without sufficient funds; amending Chapter 17, page 246, General Laws, Acts of the 46th Legislature, Regular Session, 1939, as amended (Article 567b, Vernon's Texas Penal Code); and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Hightower:

S. B. No. 14, A bill to be entitled "An Act changing the name of soil and water conservation district supervisors; amending Chapter 3, page 7, General Laws, Acts of the 46th Legislature, Regular Session, 1939, as amended (Article 165a-4, Vernon's Texas Civil Statutes), by adding a Section 3a; and declaring an emergency."

To the Committee on Water and Conservation.

By Senator Hightower:

S. B. No. 15, A bill to be entitled "An Act amending Article 1688, Revised Civil Statutes of Texas, 1925, by deleting the provision restricting the use of the county free library to white persons; and declaring an emergency."

To the Committee on County District and Urban affairs.

By Senator Hightower:

S. B. No. 16, A bill to be entitled

"An Act amending Section 3, Article 5441, Revised Civil Statutes of Texas, 1925, by deleting provisions requiring the State Librarian to have bound certain newspapers and periodicals; and declaring an emergency."

To the Committee on State Departments and Institutions.

By Senator Berry:

S. B. No. 17, A bill to be entitled "An Act repealing Section 2b, Chapter 257, Acts of the 54th Legislature, Regular Session, 1955, as added by Chapter 15, Acts of the 60th Legislature, Regular Session, 1967 (Article 4494n, Vernon's Texas Civil Statutes), relating to increasing the assessment of property values in certain hospital districts; and declaring an emergency."

To the Committee on County, District and Urban Affairs:

By Senator Berry:

S. B. No. 18, A bill to be entitled "An Act amending various sections of and adding new sections to the Texas Liquor Control Act (Articles 666-1 through 667-33, Vernon's Texas Penal Code), relating to: (1) hours for possession or consumption of alcoholic beverages in a public place; (2) hours for selling beer or offering same for sale; (3) hours for permitting the service or consumption of alcoholic beverages on private club premises; (4) creation of a Retail Dealer's On-Premise Late Hours License; (5) creation of a Private Club Late Hours Permit; and declaring an emergency."

To the Committee on County, District and Urban Affairs.

By Senator Herring:

S. B. No. 19, A bill to be entitled "An Act relating to the appointment, compensation, and duties of a shorthand reporter for the 26th Judicial District of Texas; and declaring an emergency."

To the Committee on County, District and Urban Affairs.

By Senator Watson:

S. B. No. 20, A bill to be entitled "An Act providing that the State of Texas, any department, board, agency or instrumentality of the State of Texas, any municipal corporation, any political subdivision, any district and any body politic and corporate of the State of Texas which is now or may hereafter be authorized by law to is-

sue and sell bonds, notes, or other obligations payable from taxes, or revenues, or both, may issue and sell such bonds, notes, or other obligations at any price or prices and bearing interest at any rate or rates, provided that the net effective interest rate, as herein defined, shall not exceed six and one-half per cent per annum; making certain qualifications and exceptions; enacting other provisions related to the subject; and declaring an emergency."

To the Committee on Finance.

By Senator McKool:

S. B. No. 21, A bill to be entitled "An Act relating to the creation and administration of the John F. Kennedy Memorial Museum Commission; and declaring an emergency."

To the Committee on State Affairs.

By Senator McKool:

S. B. No. 22, A bill to be entitled "An Act relating to the eligibility and jurisdiction of notaries public; amending Sections 2 and 6, Article 5949, Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency."

To the Committee on State Affairs.

By Senator McKool:

S. B. No. 23, A bill to be entitled "An Act relating to the commissioners court providing office space and office equipment for members of the legislature; and declaring an emergency."

To the Committee on County, District and Urban Affairs.

By Senator McKool:

S. B. No. 24, A bill to be entitled "An Act relating to payroll deductions of city employees; and declaring an emergency."

To the Committee on County, District and Urban Affairs.

By Senators McKool and Harris:

S. B. No. 25, A bill to be entitled "An Act amending Sections 9 and 17, Chapter 342, Acts of the 59th Legislature, Regular Session, 1965 (Article 193a, Vernon's Texas Civil Statutes), relating to apportionment of the State into senatorial districts; providing when this amendment takes effect; and declaring an emergency."

To the Committee on Legislative, Congressional and Judicial Districts.

By Senator Bates:

S. B. No. 26, A bill to be entitled "An Act amending Subdivision (2) of Section 7(i), House Bill 528, Chapter 519, Acts of 60th Legislature, Regular Session, 1967, to prevent tuition charge on certain resident children; amending Subdivisions (1) and (2) of Section 6(d), House Bill 528, Chapter 519, Acts of 60th Legislature, Regular Session, 1967, to provide eligibility for and allotment of vocational teacher units to Rehabilitation District(s); providing for effective date(s) for the amendatory provisions of this Act; and declaring an emergency."

To the Committee on Education.

By Senator Bates:

S. B. No. 27, A bill to be entitled "An Act amending, revising and repealing in part, Articles I and II of the Texas Liquor Control Act (Articles 666-1 to 667-33, Vernon's Texas Penal Code), to improve its administration and enforcement; providing for severability; providing for repeal of laws in conflict; and declaring an emergency."

To the Committee on Jurisprudence.

By Senators Bates, Bridges, Brooks and Connally:

S. B. No. 28, A bill to be entitled "An Act to provide for mandatory inspection of the slaughter of cattle, sheep, swine, goats, equines, poultry, domestic rabbits, and domesticated game birds, and the preparation of the carcasses, parts thereof, meat, and meat food products of such animals, solely for distribution in this State; for the regulation of related industries; for cooperation with the United States Department of Agriculture; and for penalties for violations, detention, seizure, and other enforcement authorities; repealing Chapter 339, Acts of the 49th Legislature, 1945, as amended (Article 4476-3, Vernon's Texas Civil Statutes); and declaring an emergency."

To the Committee on Public Health.

By Senator Bates:

S. B. No. 29, A bill to be entitled "An Act prohibiting the issuance or renewal of Private Club Registration Permits in certain areas and providing for cancellation of such permits under certain circumstances; amending Article I, Texas Liquor Control Act (Article 666-1 through 666-57,

Vernon's Texas Penal Code), by adding Section 15f; repealing Subdivision (f), Subsection 7, Section 15(e), Article I, Texas Liquor Control Act (Article 666-15(e), Vernon's Texas Penal Code); and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Bridges and Bates:

S. B. No. 30, A bill to be entitled "An Act relating to the creation, administration, powers, duties and financing of Cameron County Hospital District of Cameron County, Texas, by authority of Section 9, and in conformity with Section 13, both of Article IX, Constitution of the State of Texas; and declaring an emergency."

To the Committee on County, District and Urban Affairs.

By Senator Moore:

S. B. No. 31, A bill to be entitled "An Act amending Article 9.01, Section (1), Article 9.05, Subsection (a), Section (8), Article 9.13, Article 10.02, and Section (1), Article 10.14, Title 122A, Taxation—General, Revised Civil Statutes of Texas, 1925, as amended, to provide for exemption of certain State agencies from payment of the Motor Fuels Tax and the Special Fuels Tax; and declaring an emergency."

To the Committee on State Affairs.

By Senator Moore:

S. B. No. 32, A bill to be entitled "An Act closing a certain public road on State-owned land held for the use of the Texas Department of Corrections; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Moore:

S. B. No. 33, A bill to be entitled "An Act authorizing the Texas Board of Corrections to convey fee simple title to the surface estate in certain State-owned land held for the use of the State Department of Corrections to certain parties in exchange for certain other land of equal acreage; and declaring an emergency."

To the Committee on State Affairs.

By Senator Moore:

S. B. No. 34, A bill to be entitled "An Act relating to registration fees and speed limits applicable to certain farm trailers and semitrailers; amending Subsections (c) and (f), Section 2, Chapter 88, Acts of the 41st Legis-

lature, 2nd Called Session, 1929, as amended (Article 6675a-2, Vernon's Texas Civil Statutes); and declaring an emergency."

To the Committee on State Affairs:

By Senator Moore:

S. B. No. 35, A bill to be entitled "An Act relating to the establishment and operation of schools at the various units of the Department of Corrections; and declaring an emergency."

To the Committee on State Affairs.

By Senator Creighton:

S. B. No. 36, A bill to be entitled "An Act validating the incorporation of home-rule cities and towns; validating the boundary lines thereof, covered by the original incorporation proceedings and any subsequent extensions; providing that in certain multiple annexations, proceedings prior in time shall prevail despite irregularities validated; validating governmental proceedings; providing certain limitations as to the application of the Act; providing a saving clause; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Creighton:

S. B. No. 37, A bill to be entitled "An Act relating to the time period between elections for the abolition or adoption of the Local Sales and Use Tax; amending Section 3, Chapter 36, Acts of the 60th Legislature, Regular Session, 1967 (Article 1066c, Vernon's Texas Civil Statutes); and declaring an emergency."

To the Committee on State Affairs.

By Senator Creighton:

S. B. No. 38, A bill to be entitled "An Act providing that certain mortgage banking institutions are subject to supervision by the Banking Commissioner of Texas; specifying the procedure, terms, and extent of the supervision and providing penalties for noncompliance; and declaring an emergency."

To the Committee on Banking.

By Senators Hall and Herring:

S. B. No. 39, A bill to be entitled "An Act relating to exempting from taxation property owned by a non-profit corporation providing certain nursing care and certain housing for the low-income elderly, and involved

in various research programs for the elderly; amending Article 7150, Revised Civil Statutes of Texas, 1925, as amended, by adding a Section 23; providing for severability; and declaring an emergency."

To the Committee on State Affairs.

By Senator Hall:

S. B. No. 40, A bill to be entitled "An Act relating to the removal of disabilities of a minor for the purposes of becoming a peace officer; amending Article 5921b of the Revised Civil Statutes of Texas, as amended, so as to provide for the removal of the disabilities of a minor making application for appointment as a peace officer in the county where the appointment is to be made; amending Article 5922a of the Revised Civil Statutes of Texas, as amended, by including therein venue in the county where the minor has on file an application for appointment as a peace officer; and changing "Article 5921a" to read 'Article 5921'; and providing for an emergency."

To the Committee on Jurisprudence.

By Senator Watson:

S. B. No. 41, A bill to be entitled "An Act to provide a sick leave policy for all teachers employed in the Texas Public Free Schools, setting out the Minimum Sick Leave Program, providing for reports to and administration through the Central Education Agency, providing for financing from the State Foundation School Fund, to take effect for the 1969-70 school year and thereafter, providing a severability clause, and declaring an emergency."

To the Committee on Education.

By Senator Mauzy:

S. B. No. 42, A bill to be entitled "An Act relating to artificial appliances for injured employees; amending Subsection (a), Section 7-e, Article 8306, Revised Civil Statutes of Texas, 1925, as added by Section 1, Chapter 529, Acts of the 47th Legislature, Regular Session, 1941, as amended; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Mauzy:

S. B. No. 43, A bill to be entitled "An Act including income of insurers

from investment of their funds in the factors to be considered in setting rates of insurance premiums; amending Section 1, Article 5.01, Texas Insurance Code, as amended; and declaring an emergency."

To the Committee on Insurance.

By Senator Herring:

S. B. No. 44, A bill to be entitled, "An Act relating to the carrying or using of bows, crossbows, firearms or other weapons on lands owned by the Lower Colorado River Authority; amending Section 1, Chapter 443, Acts of the 58th Legislature, 1963, as amended (Article 9781-8, Vernon's Texas Penal Code), declaring an emergency."

To the Committee on Parks and Wildlife.

By Senator Herring:

S. B. No. 45, A bill to be entitled "An Act repealing Sections 2 and 4, Chapter 83, Acts of the 41st Legislature, 2nd Called Session, 1929, as amended (Article 2663b-1, Vernon's Texas Civil Statutes), relating to the requirement of courses in Government or Political Science for a baccalaureate degree or academic certificate or for a certification to teach in the public schools of this State; repealing Chapter 449, Acts of the 54th Legislature, 1955, as amended (Article 2663b-2, Vernon's Texas Civil Statutes), relating to the requirement of American History or its equivalent in Texas History for a baccalaureate degree or academic certificate from a college or university receiving State support or aid; providing an effective date; and declaring an emergency."

To the Committee on Education.

By Senators Bernal, Bates, Berry, Bridges, Brooks, Harrington, Jordan, Kennard, McKool, Mauzy, Patman, Schwartz and Snelson:

S. B. No. 46, A bill to be entitled "An Act requiring that English shall be the basic language of instruction in all grade schools; providing the governing body of the school district or school may determine when, in which grades or classes, and circumstances instruction may be given bilingually; declaring State policy on bilingual instruction; amending subdivision 1 of Article 2893, Revised Civil Statutes, 1925; repealing Article 288, Penal Code of Texas, 1925; as amended; repealing Article 298,

Penal Code of Texas, 1925; and declaring an emergency."

To the Committee on State Affairs.

By Senators Bernal, Berry and Connally:

S. B. No. 47, A bill to be entitled "An Act creating the University of San Antonio as a state-supported institution of higher education; providing for its management and administration; providing that general laws affecting other state institutions of higher learning which are not in conflict with this Act apply to the University of San Antonio; repealing laws in conflict; and declaring an emergency."

To the Committee on State Affairs.

By Senator Cole:

S. B. No. 48, A bill to be entitled "An Act amending, revising, and rearranging the Clean Air Act of Texas, 1967 (Article 4477-5, Vernon's Texas Civil Statutes) to improve the structure of the Act and to provide for more effective control of the quality of the air resources in this State; preserving the terms of office of current appointed board members; providing for severability; providing a saving clause; and declaring an emergency."

To the Committee on State Affairs.

By Senator Word:

S. B. No. 49, A bill to be entitled "An Act relating to the creation and administration of The Fleet Admiral Chester W. Nimitz Memorial Naval Museum and Commission; and declaring an emergency."

To the Committee on State Affairs:

By Senator Word:

S. B. No. 50, A bill to be entitled "An Act adopting Title 1 of the Family Code, a substantive revision of the statutes relating to husband and wife—entering the marriage relationship; validity of marriage; dissolution of marriage; rights, duties, powers, and liabilities of spouses; and marital property; amending certain laws to conform to the new code, as follows: amending Article 495, Penal Code of Texas, 1925, relating to punishment for incest; amending Article 5460, Revised Civil Statutes of Texas, 1925, as amended, relating to the requirements for securing a lien on the homestead of a married person; amending Section 17A, Chapter 41, Acts of the 40th Legislature,

1st Called Session, 1927, as amended (Rule 50b, Article 4477), Vernon's Texas Civil Statutes), relating to the record-keeping and information-providing function of the Bureau of Vital Statistics; adding an Article 3930a-1 to Title 61, Revised Civil Statutes of Texas, 1925, providing a fee for certain services rendered by county clerks and county recorders; repealing the statutes replaced by Title 1 of the Family Code; declaring the effect of conflicting laws passed at the same session; declaring the applicability of the Code Construction Act (Article 5429b-2, Vernon's Texas Civil Statutes); providing for severability; providing a saving clause; providing an effective date; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Patman:

S. B. No. 51, A bill to be entitled "An Act relating to the pay of election judges and clerks in joint elections; amending Subsection (c), Section 22, Texas Election Code, as amended (Article 3.08, Vernon's Texas Election Code); and declaring an emergency."

To the Committee on Privileges and Elections.

By Senator Patman:

S. B. No. 52, A bill to be entitled "An Act relating to terms of office and election by position of members of the board of trustees of certain county junior college districts; and declaring an emergency."

To the Committee on County, District and Urban Affairs.

By Senator Patman:

S. B. No. 53, A bill to be entitled "An Act making it unlawful to attempt to break or enter a coin-operated machine, or to work or manipulate the machinery of any coin-operated machine, with the purpose of committing theft of personal property from the machine or of obtaining any service through the instrumentality of the machine and prescribing a penalty; amending Chapter 268, Acts of the 54th Legislature, Regular Session, 1955 (Article 1402a, Vernon's Texas Penal Code), by adding Section 1b; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Watson:

S. B. No. 54, A bill to be entitled

"An Act relating to taxation of non-profit water supply corporations; amending Article 7150, Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency."

To the Committee on State Affairs.

By Senators Herring and Brooks:

S. B. No. 55, A bill to be entitled "An Act to amend Article I, Section 5, Benefits, Subsection B, Allowance for Service Retirement, Paragraph 1; Subsection C, Disability Retirement Benefits for Appointive Officers or Employees, Paragraphs 2, 3, and 6; Subsection E, Return of Accumulated Contributions, Paragraphs 2, 3, 5, and 6; Section 6, Administration, Subsection A, State Board of Trustees, Paragraph 3; Section 7, Management of Funds, Subsection B; Section 12, Amount of Benefits; Creditable Service, Subsections A, B, C, and D; of H. B. 902 Regular Session, 58th Legislature; providing an effective date; repealing all laws in conflict herewith; providing a savings clause; and declaring an emergency."

To the Committee on State Departments and Institutions.

By Senator Patman:

S. B. No. 56, A bill to be entitled "An Act relating to the closing of certain waters in Calhoun County to the taking or carrying away of marl, gravel, sand, shells, and mudshell; amending, by adding a new section, Article 4053, Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency."

To the Committee on Parks and Wildlife.

By Senator Patman:

S. B. No. 57, A bill to be entitled "An Act relating to and fixing minimum and maximum salary of the official shorthand reporter for the 36th Judicial District of Texas; and declaring an emergency."

To the Committee on County, District and Urban Affairs.

By Senators Aikin and Hazlewood:

S. B. No. 58, A bill to be entitled "An Act appropriating money for the support of the Judicial, Executive and Legislative Branches of the State Government, for the construction of State buildings, and for State aid to public junior colleges, for the two year peri-

od beginning September 1, 1969, and ending August 31, 1971; authorizing and prescribing conditions, limitations, rules and procedures for allocating and expending the appropriated funds; and declaring an emergency."

To the Committee on Finance.

By Senator Harrington:

S. J. R. No. 1, Proposing an Amendment to the Constitution of the State of Texas to provide for an exemption of Three Thousand Dollars (\$3,000) of the value of residence homesteads of all persons sixty-five years of age or older from all ad valorem taxes levied by any county, city, town, school district or other political subdivision or instrumentality of the State.

To the Committee on Constitutional Amendments.

By Senator Berry:

S. J. R. No. 2, Proposing an amendment to Article 16 of the Constitution of the State of Texas by adding thereto another section, to be designated as Section 20a legalizing parimutuel betting at horse races in certain counties after local option elections providing for maximum parimutuel taxes by the State and counties, and for maximum deductions from parimutuel pools by owners or operators, and maximum admission taxes; permitting distributing one-half ($\frac{1}{2}$) of the State parimutuel tax revenue among the several counties; providing for the creation of the Texas Horse Racing Board to supervise such races and betting; providing for the creation of the Texas Thoroughbred Racing Protective Bureau and declaring its duties; permitting the Legislature to enact supplementary laws which may be anticipatory.

To the Committee on Constitutional Amendments.

By Senator McKool:

S. J. R. No. 3, Proposing a constitutional amendment to provide for an orderly transition in the office of the Governor by authorizing certain funds to be appropriated for the use of a new governor-elect.

To the Committee on Constitutional Amendments.

By Senators Moore, Jordan, Brooks, Cole, Snelson and Hall:

S. J. R. No. 4, Proposing an amend-

ment to Article I of the Constitution of Texas by adding thereto a new Section to be known as Section 3a, providing that equality under the law shall not be denied or abridged because of sex, race, color, creed, or national origin; providing that the amendment is self-operative; and providing for the calling of an election and the publication and issuance of the proclamation therefor.

To the Committee on Constitutional Amendments.

By Senators Bernal and Hall:

S. J. R. No. 5, Proposing an amendment to Sections 1 and 2, Article VI, Constitution of the State of Texas, to lower the minimum age required for voting to 18 years.

To the Committee on Constitutional Amendments.

By Senator Watson:

S. J. R. No. 6, Proposing an amendment to Section 2, Article VIII, Constitution of the State of Texas, to provide that nonprofit water supply corporations are exempt from taxation.

To the Committee on Constitutional Amendments.

Senate Concurrent Resolution 12

Senator Hightower offered the following resolution:

S. C. R. No. 12, Requesting the Texas Commission on Law Enforcement Officer Standards and Education to inform the Legislature of the earliest possible date all peace officers should be required to be certified by the Commission.

BE IT RESOLVED by the Senate of the State of Texas, the House of Representatives concurring, That the Texas Commission on Law Enforcement Officer Standards and Education, on determining that adequate law enforcement training and education programs are available in all areas of the State, shall so inform the Legislature and recommend the earliest practical date after which all peace officers, as defined by Article 2.12, Code of Criminal Procedure, 1965, should be required to be certified by the Commission as trained and qualified law enforcement officers.

The resolution was read and was referred to the Committee on State Affairs.

(Senator Hightower in the Chair.)

Senate Resolution 55

Senator Hazlewood offered the following resolution:

Whereas, We deem it necessary and to the best interests of the people of the State of Texas that a Senate General Investigating Committee be appointed, having the powers as herein-after set forth; now, therefore, be it

Resolved by the Senate of the State of Texas:

Section 1. That the Lieutenant Governor be, and he is hereby authorized to appoint a committee of five Members of the Senate to sit at such times and places between the adjournment of the Sixty-first Legislature and the date of the convening of the Regular Session of the Sixty-second Legislature, as may to said committee seem necessary and proper; and the committee shall continue the inquiries heretofore begun by the committee heretofore authorized and appointed, relative to law violations and the administration of all State laws and any of the matters pertaining to or affecting the revenues of the State government, and the expenditures of taxes, fees, and assessments, and to inquire into any other affairs and activities of governmental departments and institutions of whatever kind and character, as such activities in any way affect the financial or other welfare of the government and the citizens of Texas. Said committee shall make a study of any other governmental activity, and shall have authority to investigate and inquire into any such matters.

Section 2. That said committee shall have the power to formulate its own rules of procedure and evidence, and to provide for its own hours of meeting, recessing, and adjournment. Provided, however, that the rules of evidence to be followed shall be practically the same as followed in the courts of this State, and the committee is authorized to hold executive sessions, within its discretion, and then the committee may be governed by the rules or evidence applicable to any grand jury inquiry in this State.

Section 3. That the majority of the membership of the committee shall have power to issue process for witnesses to any place in this State, and to compel their attendance, and produce all books and records, and upon

disobedience of any subpoena the said committee shall have the power to issue attachments which may be addressed to and served by either the sergeant-at-arms appointed by said committee or any sheriff or any constable of this State; and said committee shall have authority to cite for contempt anyone disobeying said process and to punish for such contempt in the same manner as provided for by general law. Said committee shall have power to inspect and make copies of any books, records, or files of the departments and institutions and any and all other instruments and documents pertinent to the matter under investigation by said committee, and to take possession of any files, records, papers in any department or agency of the State and to retain the same in its custody, until any investigation in which such committee may be engaged or undertaken is completed, including any county or political subdivision of this State, and shall also have power to examine and audit the books of any person, firm, or corporation having dealings with departments and institutions under investigation by said committee. The committee shall have power to administer oaths and affirmations and fix the bonds of attached witnesses; and the committee shall further have all the powers necessary in order to accomplish the purposes for which it is appointed. Three members of such committee shall constitute a quorum for the transaction of official business.

Section 4. The witnesses attending under process shall be allowed the same mileage and per diem as is allowed witnesses before any grand jury in this State.

Section 5. Said committee shall have power and authority to employ and compensate all necessary investigators, auditors, clerks, stenographers, and other necessary employees, and it shall be the duty of said committee to make and keep a record of its investigations.

Section 6. That said committee may call upon the Attorney General's Department, Auditing Department, and all other departments for assistance and advice, and it shall be the duty of the Attorney's General's Department to render opinions, and give counsel and assistance to said committee on request of chairman or members of said committee.

Section 7. That said committee

shall submit a report in writing to the Sixty-second Legislature, and make such recommendations as it may choose to make. The compensation and expenses herein provided for incident to the work of such committee shall be paid out of the appropriation for mileage and contingent fund of the Sixty-first Legislature and out of any fund otherwise appropriated by such Session of said Legislature for such purpose, upon sworn account of persons entitled to such pay, when approved by the chairman of said committee; and sufficient money is hereby appropriated out of the mileage and contingent fund of said Sixty-first Legislature to meet the payment of such expenses of the members of said committee, witnesses, fees, and other expenses incident to said investigation

HAZLEWOOD
CREIGHTON
WORD
CONNALLY
HIGHTOWER

The resolution was read and was referred to the Committee on State Affairs.

Messages From Governor and Chief Justice of Supreme Court Referred

The messages from the Governor received and read on January 15, January 20, January 22, 1969 and from the Chief Justice of the Supreme Court on January 28, 1969 were referred to the Committee on Nominations.

(President in the Chair)

Committee on State Departments and Institutions Granted Permission to Meet While Senate in Session

On motion of Senator Brooks and by unanimous consent the Committee on State Departments and Institutions was granted permission to meet while the Senate was in session.

Report of Standing Committee

Senator Brooks, by unanimous consent, submitted the following report:

Austin, Texas,
January 29, 1969

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on State

Departments and Institutions to which was referred S. B. No. 55, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

BROOKS, Chairman

Senate Bill 55 Ordered Not Printed

On motion of Senator Herring and by unanimous consent S. B. 55 was ordered not printed.

Senate Bill 55 on Second Reading

Senator Herring moved that Senate Rules 30, 36 and 110 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 55 be placed on its second reading and passage to engrossment and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Schwartz
Connally	Snelson
Grover	Strong
Harrington	Watson
Harris	Wilson
Hazlewood	Word

Absent—Excused

Creighton	Ratliff
Hall	

The President then laid before the Senate on its second reading and passage to engrossment the following bill:

S. B. No. 55, A bill to be entitled "An Act to amend Statutes relative to Employees Retirement System of Texas of H. B. 902 Regular Session, 58th Legislature; providing an effective date; repealing laws in conflict herewith; providing a savings clause; and declaring an emergency."

The bill was read the second time and was passed to engrossment.

Senate Bill 55 on Third Reading

The Constitutional Rule requiring bills to be read on three several days having been suspended the President laid S. B. No. 55 before the Senate on its third reading and final passage.

The bill was read the third time and was passed by the following vote:

Yeas—28

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Schwartz
Connally	Snelson
Grover	Strong
Harrington	Watson
Harris	Wilson
Hazlewood	Word

Absent—Excused

Creighton	Ratliff
Hall	

Memorial Resolutions

S. R. No. 56—By Senator Watson: Memorial resolution for Dr. William Hayes Gidney.

S. R. No. 57—By Senator Watson: Memorial resolution for Mrs. Bun (Lucile) Raley.

S. R. No. 63—By Senator Watson: Memorial resolution for Stephen Valcik.

S. R. No. 64—By Senator Watson: Memorial resolution for Ralph (Bud) Curton.

S. R. No. 65—By Senator Watson: Memorial resolution for Carl Robert Lemke.

Welcome and Congratulatory Resolutions

S. R. No. 52—By Senator Watson: Extending welcome to Mrs. Evelyn Wilkerson, et al.

S. R. No. 53—By Senator Watson: Extending welcome to Charles Meeker, et al.

S. R. No. 54—By Senator Watson:

Extending welcome to Paul Marable, et al.

S. R. No. 58—By Senator Watson: Extending appreciation to Lt. Col. Alfred R. Smith for his service to his country.

S. R. No. 59—By Senator Watson: Extending appreciation to Homer Casey for his service to his city and State.

S. R. No. 60—By Senator Mauzy: Commending the Texas broadcasting and newspaper industries for publicizing the Connally-Carrillo Act.

S. R. No. 61—By Senator Herring: Extending congratulations to coaches and team members of Reagan High School on winning Texas 4-A Football Championship.

S. R. No. 62—By Senator Watson: Extending welcome to Howard Crisco, et al.

S. R. No. 66—By Senator Herring: Extending welcome to teacher and students of Brentwood Elementary School of Austin.

Adjournment

Senator Blanchard moved the Senate take recess until 10:00 o'clock a.m. tomorrow.

Senator Aikin moved the Senate stand adjourned until 10:00 o'clock a.m. tomorrow.

Question first on the motion by Senator Aikin to adjourn until 10:00 o'clock a.m. tomorrow, the motion prevailed.

Accordingly, the Senate at 11:25 o'clock a.m. adjourned until 10:00 o'clock a.m. tomorrow.

TENTH DAY

(Thursday, January 30, 1969)

The Senate met at 10:00 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Bridges
Bates	Brooks
Bernal	Christie
Berry	Connally

Grover	Mauzy
Hall	McKool
Harrington	Moore
Harris	Patman
Hazlewood	Snelson
Herring	Strong
Hightower	Watson
Jordan	Wilson
Kennard	Word

Absent—Excused

Blanchard	Ratliff
Cole	Schwartz
Creighton	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

(Senator Watson in the Chair.)

Leaves of Absence

Senator Cole was granted leave of absence for today on account of important business on motion of Senator Brooks.

Senator Ratliff was granted leave of absence for today on account of illness in the family on motion of Senator Herring.

Senator Creighton was granted leave of absence for today on account of important business on motion of Senator Herring.

Senator Blanchard was granted leave of absence for today on account of important business on motion of Senator Strong.

Senator Schwartz was granted leave of absence for today on account of important business on motion of Senator Strong.

Message From the House

Hall of the House of Representatives
Austin, Texas,
January 30, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 9, Congratulating the